

REVISED AGENDA
(TELECONFERENCE LOCATION WILL NOT BE USED)



BERKELEY CITY COUNCIL MEETING

TUESDAY, JANUARY 17, 2012

7:00 P.M.

COUNCIL CHAMBERS - 2134 MARTIN LUTHER KING JR. WAY

TOM BATES, MAYOR

Councilmembers:

DISTRICT 1 – LINDA MAIO
DISTRICT 2 – DARRYL MOORE
DISTRICT 3 – MAX ANDERSON
DISTRICT 4 – JESSE ARREGUIN

DISTRICT 5 – LAURIE CAPITELLI
DISTRICT 6 – SUSAN WENGRAF
DISTRICT 7 – KRISS WORTHINGTON
DISTRICT 8 – GORDON WOZNAK

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to Mark Numainville, CMC, Deputy City Clerk, 981-6900.

The City Council may take action related to any subject listed on the Agenda. The Mayor may exercise a two minute speaking limitation to comments from Councilmembers. Meetings will adjourn at 11:00 p.m. - any items outstanding at that time will be carried over to a date/time to be specified.

Preliminary Matters

Roll Call:

Ceremonial Matters: *In addition to those items listed on the agenda, the Mayor may add additional ceremonial matters.*

City Manager Comments: *The City Manager may make announcements or provide information to the City Council in the form of an oral report. The Council will not take action on such items but may request the City Manager place a report on a future agenda for discussion.*

Public Comment on Non-Agenda Matters: *Five persons selected by lottery will have two minutes each to address matters not on the Council agenda. Persons wishing to address the Council on matters not on the Council agenda during the initial ten-minute period for such comment, must submit a name card to the City Clerk in person at the meeting location and prior to commencement of that meeting. Five cards will be drawn by the City Clerk to determine the speakers who will be allowed to comment during the first round of public comment on non-agenda matters. The remainder of the speakers wishing to address the Council on non-agenda items will be heard at the end of the agenda. Name cards are not required for this second round of public comment on non-agenda matters.*

Public Comment on Consent Calendar and Information Items Only: *The Council will take public comment on any items that are either on the amended Consent Calendar or the Information Calendar. Up to three speakers will be entitled to two minutes each to speak in opposition to or support of a Consent Calendar Item. The Presiding Officer will ask additional persons in the audience to stand to demonstrate their respective opposition to or support of the item.*

In the event that there are more than three persons wishing to speak either in opposition to or support of a "Consent" item, the Presiding Officer will move the item to the beginning of the Action Calendar. Prior to moving the item, the Presiding Officer will fully inform those persons in the audience of this process.

Additional information regarding public comment by City of Berkeley employees and interns: Employees and interns of the City of Berkeley, although not required, are encouraged to identify themselves as such, the department in which they work and state whether they are speaking as an individual or in their official capacity when addressing the Council in open session or workshops.

Consent Calendar

The Council will first determine whether to move items on the agenda for action or "Information" to the "Consent Calendar", or move "Consent Calendar" items to action. Items that remain on the "Consent Calendar" are voted on in one motion as a group. "Information" items are not discussed or acted upon at the Council meeting unless they are moved to "Action" or "Consent".

After hearing from public speakers regarding items remaining on the Consent Calendar, any Council Member may move any Information or Consent item to "Action", however no additional items can be moved onto the Consent Calendar at that point. Following this, the Council will vote on the items remaining on the Consent Calendar in one motion.

For items removed from the Consent Calendar to the Action Calendar for additional public comment, at the time the matter is taken up during the Action Calendar, public comment will be limited to persons who have not previously addressed that item during the Consent Calendar related public comment period.

1. **Lease Agreement: 2547 8th Street**

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,220–N.S. authorizing the Library to execute a 15 month lease agreement with two 2 month options with Dagovitz 05 Trust, Melvin Dagovitz, Trustee, (leasing agent West Coast Property Management) for real property located at 2547 8th Street, unit 12-A to house the tool lending library program during the construction phase of the South Branch Library, for the expected period extending from January 18, 2012 through July 31, 2013.

First Reading Vote: Ayes - Maio, Arreguin, Capitelli, Wengraf, Worthington, Wozniak, Bates; Noes – None; Absent – Moore, Anderson.

Financial Implications: See report

Contact: Donna Corbeil, Library, 981-6100

2. **Ordinance Prohibiting Harassment of Bicyclists and Adding BMC Chapter 14.26**

From: City Manager

Recommendation: Adopt second reading of Ordinance No. 7,221–N.S. prohibiting the harassment of bicyclists, which Council asked staff to draft at the September 27, 2011 Council meeting, and adding Chapter 14.26 to the Berkeley Municipal Code.

First Reading Vote: Ayes - Maio, Arreguin, Capitelli, Wengraf, Worthington, Wozniak, Bates; Noes – None; Absent – Moore, Anderson.

Financial Implications: None

Contact: Zach Cowan, City Attorney, 981-6950

Consent Calendar

- 3. Proposed Amendments to Claim/Refund Ordinance, BMC Chapter 7.20**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Sections 7.20.030 and 7.20.040 to require full verification of refund claims and ensure that service providers may only claim refunds after providing them to customers, amending Section 7.20.090 to conform to state law, and repealing Sections 7.20.045, 7.20.047, 7.20.048, 7.20.070 and 7.20.080 as obsolete.
Financial Implications: Unknown
Contact: Zach Cowan, City Attorney, 981-6950
- 4. Settlement of Paul Jones v. City of Berkeley**
From: City Manager
Recommendation: Adopt a Resolution approving the settlement of the Alameda County Superior Court Action No. RG11 569086 entitled Jones v. City of Berkeley, et al. in the amount of \$43,000.
Financial Implications: Public Liability Fund - \$43,000
Contact: Zach Cowan, City Attorney, 981-6950
- 5. Settlement of Lisbeth Ann Bittle v. City of Berkeley**
From: City Manager
Recommendation: Adopt a Resolution approving the settlement of the Alameda County Superior Court Action No. RG 10 553794 entitled, Bittle v. City of Berkeley, et al., in the amount of \$170,000.
Financial Implications: Public Liability Fund - \$170,000
Contact: Zach Cowan, City Attorney, 981-6950
- 6. Amending the Attendance Reporting Period for Commissions that Meet Quarterly, BMC Section 3.02.020**
From: City Manager
Recommendation: Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 3.02.020 to change the attendance reporting period for commissions that meet quarterly.
Financial Implications: None
Contact: Deanna Despain, City Clerk, 981-6900
- 7. Minutes for Approval**
From: City Manager
Recommendation: Approve the minutes for the Council meetings of December 6, 2011 (special and regular), December 12 (special closed) and December 13, 2011 (special and regular).
Financial Implications: None
Contact: Deanna Despain, City Clerk, 981-6900
- 8. Updated Commissioners' Manual**
From: City Manager
Recommendation: Adopt a Resolution approving the updated edition of the Commissioners' Manual to include new requirements and clarifying current regulations regarding membership and the conduct of meetings, and commission procedures and rescinding Resolution No. 64,042-N.S.
Financial Implications: None
Contact: Deanna Despain, City Clerk, 981-6900

Consent Calendar

9. **Formal Bid Solicitation and Request for Proposal Scheduled For Possible Issuance in the Next 30 Days**
From: City Manager
Recommendation: Approve the request for proposals or invitation for bids (attached to staff report) that will be, or are planned to be, issued upon final approval by the requesting department or division. All contracts over the City Manager's threshold will be returned to Council for final approval.
Financial Implications: Various Funds - \$3,783,000
Contact: Robert Hicks, Finance, 981-7300
10. **Community Services Block Grant Contract for Calendar Year 2012**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager or her designee to accept the Community Services Block Grant (CSBG) Contract Number 12F-4401 for the initial amount of \$37,185, and execute any resultant agreements and amendments including amendments that increase the contract amount to provide low-income services for the period January 1, 2012 to December 31, 2012.
Financial Implications: See report
Contact: Jane Micallef, Housing, 981-5400
11. **Classification and Salary: Parking Enforcement Manager**
From: City Manager
Recommendation: Adopt a Resolution amending Resolution No. 64,250-N.S., Classification and Salary Resolution for Public Employees Union Local One, to establish the classification of Parking Enforcement Manager with a monthly salary range of \$5,503 to \$6,755, effective January 23, 2012, and abolish the classification of Parking Operations Supervisor.
Financial Implications: See report
Contact: David Hodgkins, Human Resources, 981-6800
12. **Donation to James Kenney Community Center and Park**
From: City Manager
Recommendation: Adopt a Resolution accepting a \$2,000 donation from the Fidelity Charitable Fund/Dickinson Family Fund to James Kenney Community Center and Park to:
1. Purchase play equipment and materials in the amount of \$1,000 for the drop-in program for ages 0-5 at James Kenney Community Center; and
2. Fund park improvements in the amount of \$1,000.
Financial Implications: General Fund - \$2,000 (Donation)
Contact: Scott Ferris, Parks, Recreation and Waterfront, 981-6700
13. **City of Berkeley to Become the Successor Agency to Manage Housing Assets of the Berkeley Redevelopment Agency**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City of Berkeley to become the successor agency for the purpose of managing the housing assets of the Berkeley Redevelopment Agency.
Financial Implications: See report.
Contact: Wendy Cosin, Planning and Development, 981-7400

Consent Calendar

14. **Contract No. 7903A Amendment: ThyssenKrupp Elevator Corporation for Citywide Elevator and Lift Maintenance, and Repair Services**
From: City Manager
Recommendation: Adopt a Resolution authorizing the City Manager to execute an amendment to Contract No. 7903A with ThyssenKrupp Elevator Corporation that:
1. Increases the contract by \$228,027 for a new contract total not to exceed \$428,027; and
 2. Amends the scope of services to include additional elevators at: 830 University, as of September 1, 2012; the new Animal Shelter, the North Branch Library, and 2134 MLK, Jr. Way (Old City Hall), all as of February 1, 2013; and
 3. Serves as notice that the City will exercise the option to extend the contract term for 2 additional years, through December 31, 2013.
- Financial Implications:** Various Funds - \$228,027
Contact: Andrew Clough, Public Works, 981-6300
15. **Andronico's Closures and Employee Impacts**
From: Commission on Labor
Recommendation: Adopt a Resolution urging the new owners of Andronico's to rehire employees impacted by the store closures and sale of the company to Renovo Capital LLC and urge the new owners to negotiate in good faith with the United Food and Commercial Workers Union Local 5.
Financial Implications: None
Contact: Delfina Geiken, Commission Secretary, 981-5400
16. **Re-appointment of Shirley Posey to the Mental Health Commission**
From: Mental Health Commission
Recommendation: Adopt a Resolution approving the re-appointment of Shirley Posey to the Mental Health Commission, as a representative of the Special Public Interest Category, to complete the term ending March 9, 2013.
Financial Implications: None
Contact: Carol Patterson, Commission Secretary, 981-7000

Council Consent Items

17. **Satellite Senior Housing: Relinquishment of Mayor's Office Budget Funds to General Fund and Grant of Such Funds**
From: Mayor Bates
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$3,500 from Mayor Bates to Satellite Senior Housing to cover the remaining expense of installing the Wisdom of the Elders Project with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Bates and any other Councilmembers who would like to contribute.
Financial Implications: Mayor's Discretionary Fund - \$3,500
Contact: Tom Bates, Mayor, 981-7100

Council Consent Items

- 18. Earth Island Institute: Relinquishment of Mayor's Office Budget Funds to General Fund and Grant of Such Funds**
From: Mayor Bates
Recommendation: Adopt a Resolution approving the expenditure of an amount not to exceed \$800 from Mayor Bates to the Earth Island Institute for The 60 Boxes Project with funds relinquished to the City's general fund for this purpose from the discretionary Council Office Budgets of Mayor Bates and any other Councilmembers who would like to contribute.
Financial Implications: Mayor's Discretionary Fund - \$800
Contact: Tom Bates, Mayor, 981-7100
- 19. Various Appointments to Committees, Commissions, and Regional Bodies**
From: Mayor Bates
Recommendation: Adopt a Resolution continuing the appointments of all Council members to their current committees, commissions, and regional bodies for one year with terms to expire on January 31, 2013.
Financial Implications: None
Contact: Tom Bates, Mayor, 981-7100
- 20. City of Berkeley Policy for Naming and Renaming Public Facilities**
From: Mayor Bates and Councilmembers Maio and Worthington
Recommendation: Review the current proposed naming policy and background materials, comment, and adopt a formal policy for the naming and renaming of public facilities.
Financial Implications: Unknown
Contact: Tom Bates, Mayor, 981-7100
- 21. Referral to the Commission on the Status of Women**
From: Councilmember Maio
Recommendation: Refer to the Commission on the Status of Women the alleged offensive treatment of women in custody at Santa Rita Jail, as reported below, with the aim of ensuring that searches of women not be conducted in the presence of men (be they male officers or inmates) and any other changes in protocol that might be needed to ensure appropriate policies are followed during searches of women in custody.
Financial Implications: None
Contact: Linda Maio, Councilmember, District 1, 981-7110
- 22. Urging Local Businesses and Residents to Discontinue the Sale and Use of Rat and Mouse Poisons Deemed an Unreasonable Risk to Children, Pets and Wildlife**
From: Councilmember Moore
Recommendation: Adopt a Resolution urging local businesses to stop carrying rodenticides that pose an "unreasonable risk," as deemed by the US EPA; urging residents to stop purchasing said rodenticides; and urging manufacturers to stop producing these products. Refer to the City Manager to come back with an implementation strategy in 6 months for outreach to local businesses and residents. Send a letter to the Department of Pesticide Regulation requesting that they refuse to renew registration of twenty rodenticide products because of the unreasonable risk that they pose to public health.
Financial Implications: Unknown
Contact: Darryl Moore, Councilmember, District 2, 981-7120

Council Consent Items

- 23. Temporary Enforcement of RPP Only Areas as Two Hour Parking Without Permit**
From: Councilmember Arreguin
Recommendation: Direct the City Manager to temporarily enforce the previous restrictions of two hours parking without RPP permits in Residential Permit Parking (RPP) Only Areas until new signs are installed.
Financial Implications: None
Contact: Jesse Arreguin, Councilmember, District 4, 981-7140
- 24. Support the Campus Sexual Violence Elimination Act (H.R. 2016 and S. 834)**
From: Councilmember Wengraf
Recommendation: Adopt a Resolution supporting the Campus Sexual Violence Elimination Act (SAVE) H.R. 2016 and S. 834. Request that the City Clerk send copies of the adopted Resolution to Rep. Barbara Lee, and Senators Boxer and Feinstein.
Financial Implications: None
Contact: Susan Wengraf, Councilmember, District 6, 981-7160
- 25. City Sponsorship of the 2012 San Francisco LGBT Pride Parade**
From: Councilmember Worthington
Recommendation: Adopt a Resolution officially sponsoring a Berkeley contingent at the 2012 San Francisco LGBT Pride Parade.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 26. San Francisco LGBT Pride: Relinquishment of Council Office Budget Funds to General Fund and Grant of Such Funds**
From: Councilmember Worthington
Recommendation: Adopt a Resolution approving the expenditure of up to \$250 per Councilmember, including up to \$250 from Councilmember Worthington, to support the San Francisco LGBT Pride Parade with funds relinquished to the City's general fund for this purpose that the City of Berkeley be represented at the SF LGBT Pride Parade and for costs of having a contingent in the parade from Councilmember Worthington's discretionary Council Office Budget and any other Councilmembers who would like to contribute.
Financial Implications: Councilmember's Discretionary Fund - \$250
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
- 27. Referral to City Manager and Police Review Commission: Eyewitness Testimony Policy**
From: Councilmember Worthington
Recommendation: Refer to the City Manager and Police Review Commission: the review of Department's Eyewitness Testimony Policy to ensure integrity of testimony provided by eyewitnesses.
Financial Implications: Unknown
Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Council Consent Items

28. **Proclamation in honor of Magnes Museum Day - January 22, 2012**
From: Councilmembers Worthington and Arreguin
Recommendation: Adopt a proclamation in honor of Magnes Museum Day celebrating the reopening on January 22, 2012.
Financial Implications: None
Contact: Kriss Worthington, Councilmember, District 7, 981-7170
29. **Referral: Elmwood Commercial District Quota Revisions**
From: Councilmember Wozniak
Recommendation: Refer to the Planning Commission (PC) a request to review the Elmwood Commercial District quota system and make recommendations to simplify the quota system to facilitate the opening of new businesses. In particular, the PC should consider
1. Eliminating all retail quota categories,
 2. Combining the three food service quotas (carry-out, quick service & full service) into a single food service quota and maintain the requirement of needing to receive a Use Permit in order to exceed the numerical limitation for a food service establishment, and
 3. Other solutions which would make it easier to fill vacant storefronts while maintaining a vibrant business district.
- Financial Implications:** See report
Contact: Gordon Wozniak, Councilmember, District 8, 981-7180

Action Calendar

After the initial ten minutes of public comment on non-agenda items and public comment and action on consent items, the public may comment on each remaining item listed on the agenda for action as the item is taken up. Where an item was moved from the Consent Calendar to Action no speaker who has already spoken on that item would be entitled to speak to that item again.

The Presiding Officer will request that persons wishing to speak line up at the podium to determine the number of persons interested in speaking at that time. Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may, with the consent of persons representing both sides of an issue, allocate a block of time to each side to present their issue.

Action Calendar – Public Hearings

Staff shall introduce the public hearing item and present their comments. This is followed by five-minute presentations each by the appellant and applicant. The Presiding Officer will request that persons wishing to speak, line up at the podium to be recognized and to determine the number of persons interested in speaking at that time.

Up to ten (10) speakers may speak for two minutes. If there are more than ten persons interested in speaking, the Presiding Officer may limit the public comment for all speakers to one minute per speaker. Speakers are permitted to yield their time to one other speaker, however no one speaker shall have more than four minutes. The Presiding Officer may with the consent of persons representing both sides of an issue allocate a block of time to each side to present their issue.

Action Calendar – Public Hearings

30. Public Hearing: Parker Place - 2598-2600 Shattuck Avenue

From: City Manager

Recommendation: Conduct a public hearing and, upon conclusion, adopt a Resolution:

1. Adopting the Mitigated Negative Declaration (MND);
2. Denying the requested permits for alcoholic beverage service and live entertainment; and
3. Approving Use Permit #08-10000130 to demolish an accessory structure at 2598 Shattuck Avenue/2037 Parker Street and construct a mixed-use development with two 5-story mixed-use buildings at 2598 and 2600 Shattuck Avenue and one 3-story residential building at 2037 Parker Street, with a total of 155 dwelling units, 22,905 square feet of ground floor commercial space, and at least 170 parking spaces.

Financial Implications: None

Contact: Wendy Cosin, Planning and Development, 981-7400

a. Appeal

1. Gale Garcia and Patti Dacey - on behalf of Parker-Shattuck Neighbors

b. Communications

1. Christina Caro (2) – on behalf of Parker Shattuck Neighbors
2. Susan Raeburn
3. Gale Garcia (2)

31. Public Hearing #2: City Council Redistricting Plan

From: City Manager

Recommendation: Conduct a public hearing and upon conclusion, evaluate plans submitted by the public, and provide direction to staff on a redistricting ordinance to be submitted to the Council for a first reading on February 28, 2012.

Financial Implications: See report

Contact: Deanna Despain, City Clerk, 981-6900

b. Communications

1. N. Holland, et al

Action Calendar – Old Business

32. Audit Response: Workers' Compensation Costs Can Be Reduced by Improved In-House Processing and Adherence to Contract Terms *(Continued from December 13, 2011)*

From: City Manager

Financial Implications: None

Contact: David Hodgkins, Human Resources, 981-6800

Action Calendar – New Business

33. New Location for City Council Meetings

From: City Manager

Recommendation: Review the summary of alternate locations for City Council meetings and direct staff to report back by May 1, 2012 on the cost, schedule, and viability of the following three options:

- Berkeley Community College Auditorium
- Longfellow Middle School Auditorium
- North Berkeley Senior Center Multi-Purpose Room

Financial Implications: Unknown

Contact: Deanna Despain, City Clerk, 981-6900

34. Expenditure of Measure GG Tax Revenue

a. From: Disaster and Fire Safety Commission

Recommendation: Task the City Manager, acting through the City's Budget and Fire Departments, to develop a budget for the expenditure of all funds collected under the tax authorized by Berkeley ballot Measure GG. To the extent that funds are to be reserved for unexpected contingencies, any reserves should be identified by the category of Municipal Code Sections 7.81.010 D 1. - 4. for which the funds are to be held in reserve and the nature of the contingencies justifying those reserves should be spelled out.

Financial Implications: None

Contact: Gil Dong, Commission Secretary, 981-3473

b. From: City Manager

Recommendation: Accept the budget and expenditure detail in the City Manager's report in response to the Disaster and Fire Safety Commission's (DFSC) request for a projected budget, and update as necessary, for the expenditure of funds collected under the Fire Protection and Emergency Response and Preparedness tax (Measure GG) and for staff to return to Council in January 2013 as part of the Fiscal Year 2014-15 budget process to recommend how the FY 14 funds should be allocated.

Financial Implications: None

Contact: Debra Pryor, Fire, 981-3473

Action Calendar – Council Items

35. City Manager Referral: Joint Community Choice Energy Participation with Richmond and Marin

From: Councilmember Worthington

Recommendation:

1. Referral to the City Manager and the Energy Commission regarding Berkeley's joint participation in Community Choice Aggregation (CCA).
2. Adopt a Resolution demonstrating Berkeley's intent to explore Community Choice Aggregation with the Marin Energy Authority and Richmond and demonstrate the City's support of clean, local energy and Community Choice Aggregation, and authorizing the City Manager to request the City's energy consumption data from Pacific Gas & Electric.

Financial Implications: Unknown

Contact: Kriss Worthington, Councilmember, District 7, 981-7170

Information Reports

- 36. **Customer Service Enhancements for Auto Theft Victims**
From: City Manager
Contact: Michael Meehan, Police, 981-5900
- 37. **Status Report: City Fuel Operations Need Improvement**
From: City Manager
Contact: Andrew Clough, Public Works, 981-6300
- 38. **Status Report: Follow-up Audit of Public Works Construction Contracts**
From: City Manager
Contact: Andrew Clough, Public Works, 981-6300
- 39. **Status Report: Public Works Contract Monitoring: Risk of Overpayment/Lack of Inventory Controls**
From: City Manager
Contact: Andrew Clough, Public Works, 981-6300
- 40. **Report on Regional Bodies Participation**
From: Mayor Bates
Contact: Tom Bates, Mayor, 981-7100
- 41. **Alameda County Waste Management Authority (Stopwaste.org) Single Use Bag Ordinance & Mandatory Recycling Ordinance**
From: Councilmember Wozniak
Contact: Gordon Wozniak, Councilmember, District 8, 981-7180

Public Comment – Including Items Not Listed on the Agenda –

Adjournment

NOTICE CONCERNING YOUR LEGAL RIGHTS: *If you object to a decision by the City Council to approve or deny a use permit or variance for a project the following requirements and restrictions apply: 1) No lawsuit challenging a City decision to deny (Code Civ. Proc., 1094.6(b)) or approve (Gov. Code 65009(c)(5)) a use permit or variance may be filed more than 90 days after the date the Notice of Decision of the action of the City Council is mailed. Any lawsuit not filed within that 90-day period will be barred. 2) In any lawsuit that may be filed against a City Council decision to approve or deny a use permit or variance, the issues and evidence will be limited to those raised by you or someone else, orally or in writing, at a public hearing or prior to the close of the last public hearing on the project.*

Live captioned broadcasts of Council Meetings are available on Cable B-TV (Channel 33), via internet accessible video stream at <http://www.ci.berkeley.ca.us/video> and KPFB Radio 89.3.

Archived indexed video streams are available at <http://www.ci.berkeley.ca.us/citycouncil>.

Channel 33 rebroadcasts the following Wednesday at 9:00 a.m. and Sunday at 9:00 a.m.

Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at the City Clerk Department located on the first floor of the civic center located at 2180 Milvia Street as well as posted on the City's website at <http://www.cityofberkeley.info>.

Agendas and agenda reports may be accessed via the Internet at <http://www.ci.berkeley.ca.us/citycouncil> and may be read at reference desks at the following locations:

City Clerk Department

2180 Milvia Street

Tel: 510-981-6900

TDD: 510-981-6903

Fax: 510-981-6901

Email: clerk@ci.berkeley.ca.us

Libraries:

Main - 2090 Kittredge Street

West Branch – 1125 University

South Branch – 1901 Russell

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair accessible location.

To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6346(V) or 981-7075 (TDD) at least three business days before the meeting date.

Please refrain from wearing scented products to this meeting.



Captioning services are provided at the meeting, on B-TV, and on the Internet. In addition, assisted listening devices for the hearing impaired are available from the City Clerk prior to the meeting, and are to be returned before the end of the meeting.

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*I hereby certify that the agenda for this meeting of the Berkeley City Council was posted at the display case located near the walkway in front of Council Chambers, 2134 Martin Luther King Jr. Way, as well as on the City's website, on January 12, 2012.*

A handwritten signature in black ink, appearing to read 'Mark Numainville', with a stylized flourish at the end.

Mark Numainville, Deputy City Clerk

## Communications

*Council rules limit action on Communications to referral to the City Manager and/or Boards and Commissions for investigation and/or recommendations. All communications submitted to Council are public record.*

### Occupy Berkeley

1. Maris Arnold
2. Toni Mester

### ASUC Perspective Multicultural Showcase

3. Tom Lee

### Criminal/Civil Fraud

4. Ragni Larsen-Orta

### Downtown Area Plan Feasibility Study

5. Lars Skjerping

### Seismic Compliance Day of Action Findings

6. Marisol Jimenez-Gaytan

### Relocation Ordinance Issue

7. Igor Tregub

## **Communications**

### **UCB Diesel Oil Spill**

8. Linda Franklin

9. Sarah Syed, on behalf of the Sierra Club, Northern Alameda County Group

### **Pending Plans for State Department of Education**

10. George Porter

### **Proposed Measure B3 Expenditure Plan**

11. Cheri Sheets

### **Proposed Antenna at the Oaks Theater (1760 Solano Ave)**

12. Leonard Schwartzburd

### **Berkeley Iceland**

13. Priscilla Barton

### **Countywide Transportation Plan**

14. Matt Williams